

1 A. Yes. The event continued, but we elected  
2 not to shoot a full length video using TV 51.

3 Q. Did some other organization do that?

4 A. Yes. We had a national organization for  
5 one or two years that shot a much shorter -- a 30-minute  
6 video, which we thought would be more marketable for us.  
7 And I can't remember if that was for one or for two  
8 years following the full length ones that TV 51  
9 produced.

10 Q. Now, in the second quarter of 1993 under  
11 the issue of safety, the first entry is a PSA on  
12 firework safety from the National Council on Firework  
13 Safety. Are you familiar with that PSA?

14 A. No, I'm not.

15 Q. The last entry on that page is House  
16 Number, referring to a PSA from the Burn Foundation.  
17 Are you familiar with that one?

18 A. Yes. Yes.

19 Q. And is this description consistent with  
20 your recollection of that PSA?

21 A. Yes, it is.

22 Q. And to your knowledge, did TV 51 air that  
23 PSA on the station?

24 A. To our knowledge, they did.

25 Q. On the next page there's a reference to a

1 fire safety PSA which appears to be from a different  
2 organization than yours. Are you familiar with that  
3 PSA?

4 A. No. I haven't seen that one.

5 Q. Now, turning to the third quarter of 1993,  
6 on the page that's marked 39 there's a reference to News  
7 to You, Fire Escape, which is described as a  
8 three-minute public service segment in conjunction with  
9 the National Fire Protection Association. Are you  
10 familiar with that segment?

11 A. Yes. I am familiar with that one.

12 Q. And did your organization play a role in  
13 that?

14 A. No. This is a different organization that  
15 produced this.

16 Q. How did you come to be familiar with this  
17 one?

18 A. Our organization or I, as an individual, am  
19 a member of the National Fire Protection Association,  
20 and we get all their materials and I'm aware of the  
21 products they produce. We work cooperatively on a  
22 number of ventures.

23 Q. To your knowledge, is this narrative  
24 description consistent with that segment?

25 A. That appears to be correct, the correct

1 message for the title of the topic.

2 Q. Turning now to the fourth quarter of 1993,  
3 on the page marked 22 there's a reference to the  
4 Concours D'Elegance, 1991. Do you know if that one-hour  
5 program was aired on WTVE?

6 A. No. I don't know for sure that that  
7 program was aired.

8 Q. And the last page in that quarter contains  
9 a listing called News to You, October Fire Safety Month.  
10 Are you familiar with that spot or that segment?

11 A. No. I don't recall that being ours.

12 Q. For the first quarter of 1994, there's the  
13 description of a News to You, Tips on Burn Prevention  
14 segment. Are you familiar with that segment?

15 A. (Witness reviewed document.)

16 Yes. I believe that's taken from a video  
17 that we produced and titled, Why Burns Occur at Home.

18 Q. And are you aware whether or not that  
19 segment was aired on WTVE as described here and on the  
20 certification that appears a couple pages later?

21 A. To our knowledge, it was. It was sent out  
22 for that purpose. And we were informed it was, so I  
23 have to assume it was.

24 Q. Now, on the page after the description,  
25 after the narrative description, there's also a

16

1 reference to Public Safety in Reading No. 1, Fire  
2 Safety. Do you see that?

3 A. Yes.

4 Q. Are you familiar with that segment?

5 A. I'm not specifically aware of that segment;  
6 however, I worked closely with Delores Lorah. She is on  
7 one of our committees. And it would be very consistent  
8 that that would have been done because Delores was the  
9 spokesperson for fire safety for the City of Reading.

17

10 Q. And turning to the second quarter of 1994,  
11 there's a reference to Kids Corner, Firefighters No. 1  
12 and Firefighters No. 2. And I would like to ask if  
13 you're familiar with either or both of those PSA's.

14 A. No, I'm not.

15 Q. Turning to the third quarter of 1994,  
16 there's a reference on the page marked 46 to a PSA  
17 called Fire Safety Kids. I would like to ask -- it's on  
18 the page marked 46. Do you see it?

19 A. (Witness reviewed document.)  
20 Fire Safety Kids?

21 Q. Yes. Are you familiar with that PSA?

22 A. No.

23 Q. Beyond the topics and PSA's that we've  
24 discussed, are you familiar with any other involvement  
25 by WTVE from the 1989 to '94 time period with your

1 organization or with the issues that your organization  
2 is concerned with?

3 A. The staff, specifically George Mattmiller,  
4 was very, very helpful and provided, I would say,  
5 considerable consultation services to us in helping us  
6 strategize the best way to construct our promotional  
7 campaigns for our events and for our PSA's and to help  
8 us -- give us advice and assistance on doing some direct  
9 marketing of the products that they produced for us so  
10 we could generate ancillary income after our events.

11 Q. And are you familiar with them doing  
12 similar work for any other organizations?

13 A. I'm not specifically familiar with it,  
14 although I know through some of the people on our Fire  
15 Safety House Task Force that they have worked with TV 51  
16 on a number of projects. I don't know the details of  
17 those, however.

18 MR. HUTTON: I have nothing further.

19 BY MR. BECHTEL:

20 Q. This automobile show --

21 A. Yes, sir.

22 Q. -- it's indicated here in the writeup that  
23 the station has put together that partial proceeds of  
24 the tape sales go to the benefit of Burn Foundation.

25 A. Yes.

1 Q. Who sells them?

2 A. They -- the station ran a -- as I recall, a  
3 promotion on air allowing people to buy them through the  
4 station. Since they absorbed the entire cost of  
5 producing them, they sold them and we got a percentage  
6 back. I don't remember exactly what that percentage was  
7 per sale. I think it was in the neighborhood of 5 or \$6  
8 per video came back to us.

9 So, yeah, they directly marketed them, and  
10 then they gave us advice on how we could go out and  
11 market our own. And for those we got 100 percent of the  
12 cost.

13 Q. After the two one-hour shows in 1990,  
14 one-hour taped shows in 1990 and 1991, you had someone  
15 else produce 30-minute programs which I believe you said  
16 were more marketable for us at this point.

17 A. We thought the length of the earlier shows,  
18 first of all, was not ideal to getting them placed on  
19 general interest TV in a segment. It was just too long.  
20 And it was much too long for the average viewer, the  
21 person who was not a dyed-in-the-wool auto enthusiast.

22 We had the opportunity to go with a crew  
23 that was contracted to place automotive segments on  
24 national media syndicates, and part of the deal was they  
25 would produce this video and at the same time place it

1 for national airing. That's why we -- those were the  
2 reasons we went away, not that we were dissatisfied with  
3 the service we were getting. It's just it didn't -- it  
4 no longer served our need.

5 MR. BECHTEL: Off the record.

6 (Discussion was held off the record.)

7 MR. BECHTEL: I don't have anything  
8 further. Thank you.

9 THE WITNESS: My pleasure.

10 (Whereupon, the deposition concluded at  
11 12:25 o'clock p.m.)

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1  
2 I have read my deposition and it is true and  
3 correct except for any corrections listed on the  
4 attached Errata Sheet, which I have also signed.  
5  
6  
7

8 DATE: \_\_\_\_\_  
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13 DANIEL DILLARD  
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READING EXHIBIT 39  
PAGE 15



CERTIFICATE

I, Lori A. Dilks, the officer before whom the deposition of DANIEL DILLARD was taken, do hereby certify that DANIEL DILLARD, the witness whose testimony appears in the foregoing deposition, was duly sworn by me on October 29, 1999, and that the transcribed deposition of said witness is a true record of the testimony given by him; that the proceedings are herein recorded fully and accurately to the best of my ability; that I am neither attorney nor counsel for, nor related to any of the parties to the action in which this deposition was taken; and, further, that I am not a relative of any attorney or counsel employed by the parties hereto or financially interested in this action.



\_\_\_\_\_  
Lori A. Dilks, RPR

Notary Public in and for  
the Commonwealth of Pennsylvania

My Commission Expires  
September 29, 2003

BERKS COURT REPORTING SERVICE

ISSUES AND PROGRAMS REPORT

SECOND QUARTER

1990

WTVE-TV 51

1729 NORTH ELEVENTH STREET

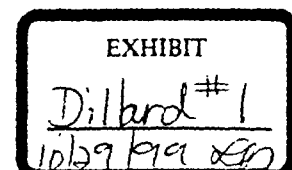
READING, PENNSYLVANIA 19604

COMPILED BY:

GEORGE MATTMILLER

JULY, 1990

READING EXHIBIT 39  
PAGE 17



## PENNSYLVANIA CRIME STOPPERS

TV-51 continued working for PENNSYLVANIA CRIME STOPPERS, producing, scripting, editing, and airing :30's that alert the viewership of crimes in the area.

## BURN FOUNDATION OF NORTH/NORTHEAST PENNSYLVANIA

Working in conjunction with the BURN FOUNDATION OF NORTH/NORTHEAST PENNSYLVANIA, TV-51 took part in the first-ever, BURN FOUNDATION AUTOMOBILE CONCOURS D'ELEGANCE.

The project entailed a full day of shooting during the event. Pre-production, shooting, and post-production consumed nearly 300 hours.

The 65-minute tape showcased the event, and highlighted what the BURN FOUNDATION is striving to accomplish as an organization to prevent burns and to educate the elderly and the young. This tape can be used as a promotional piece by the organization.

TV-51 also aired thirty-second Promotional Announcements leading up to the event at no charge to the BURN FOUNDATION.

Partial proceeds of tape sales will go to benefit the BURN FOUNDATION.

## FORD MOTOR COMPANY

TV-51 produced and edited a :30 promoting a JOB FAIR sanctioned by the Ford Motor Company to recruit future mechanics and engineers.

ISSUES AND PROGRAMS REPORT

SECOND QUARTER

1991

WTVE-TV 51

1729 NORTH ELEVENTH STREET

READING, PENNSYLVANIA 19604

COMPILED BY:

GEORGE MATTMILLER

JULY, 1991

## WTVE-TV 51 ISSUES AND PROGRAMS REPORT--SECOND QUARTER, 1991

This Issues and Programs Report for the Second Quarter of 1991 was compiled in accordance with FCC regulations as documentation of WTVE-TV 51's efforts to fulfill its commitment to broadcast in the public interest.

Contained in this Report are the various agencies and organizations that TV-51 was involved with, along with a synopsis of what was accomplished in the way of Public Service Announcements and production services supplied by the station as a way to promote the goals and objectives of these non-profit parties.

Below are listed the public service activities in which TV-51 has participated for the Second Quarter of 1991:

### BURN PREVENTION FOUNDATION

WTVE-TV 51 participated in the second-annual BURN PREVENTION FOUNDATION Concours d'Elegance on May 12, 1991 at the Penn State-Berks Campus.

The BURN PREVENTION FOUNDATION is a non-profit agency located in Allentown, Pennsylvania, involved in preventative education for particularly youngsters and the elderly as it relates to burns, scalds, and fires.

The Concours d'Elegance is a gathering of some of the world's most elegant custom-bodied automobiles. Many are one-of-a-kind in the world. There are two other such events held in the U.S.--Pebble Beach in California and Meadowbrook outside of Detroit. The 1990 Concours d'Elegance was the first-ever of its kind held in the Eastern United States. WTVE-TV 51 took part in the first ever event, as well.

The 1991 BURN PREVENTION FOUNDATION Concours d'Elegance was devoted to the Roadster and was called "Romancing the Roadster". Eighty-five examples of some of the world's most superb roadsters were gathered at Penn State-Berks Campus for the event.

as it did at the 1998 Concours d'Elegance, WTVE-TV 51 video taped the cars at the event. The tape is in the process of being edited. The goal, as for the previous Concours, is to provide a one hour highlight tape. Partial proceeds will then go to benefit the worthy efforts of the BURN PREVENTION FOUNDATION.

WTVE-TV 51 also produced a :30 P.S.A. from footage that was shot at the 1998 Concours d'Elegance, and aired it leading up to the May 18th event as a further donation to the BURN PREVENTION FOUNDATION.

#### PENNSYLVANIA CRIME STOPPERS

WTVE-TV 51 continued working for PENNSYLVANIA CRIME STOPPERS, producing, scripting, editing, and airing :30's that alert the viewership to be on the lookout for criminals whose whereabouts are potentially in the area.

#### BERKSHIRE COLLEGE

WTVE-TV 51 aired a :30 P.S.A. to promote the 42nd Annual Kutztown Folk Festival. A celebration of the Pennsylvania Dutch heritage, the Kutztown Folk Festival features dancing and demonstrations, with special involvement by the Amish and Menonites. Proceeds benefit BERKSHIRE COLLEGE.

#### CHILDREN'S RIGHTS OF PENNSYLVANIA, INC.

WTVE-TV 51 continued its ongoing efforts with the CHILDREN'S RIGHTS OF PENNSYLVANIA, INC., airing "IN SEARCH OF MISSING CHILDREN"--attempting to locate missing infants and adolescents across the country.

ISSUES AND PROGRAMS REPORT

THIRD QUARTER

1991

WTVE-TV 51

1729 NORTH ELEVENTH STREET  
READING, PENNSYLVANIA 19604

COMPILED BY:

GEORGE MATTMILLER

OCTOBER, 1991

READING EXHIBIT 39  
PAGE 22

## WTVE-TV 51 ISSUES AND PROGRAMS REPORT--THIRD QUARTER, 1991

This Issues and Programs Report for the Third Quarter of 1991 was compiled in accordance with FCC regulations as documentation of WTVE-TV 51's efforts to fulfill its commitment to broadcast in the public interest.

Contained in this Report are the various agencies and organizations that TV 51 was involved with, along with a synopsis of what was accomplished in the way of Public Service Announcements and production services supplied by the station as a way to promote the goals and objectives of these non-profit parties.

Below are listed the public service activities in which TV-51 has participated for the Third Quarter of 1991:

### BURN PREVENTION FOUNDATION

(Produced by WTVE-TV 51)

As in the Second Quarter, WTVE-TV 51 continues its efforts to promote the Burn Prevention Foundation Concours d'Elegance of 1991.

WTVE-TV 51 is presently editing a 60-minute video tape from the footage that was shot at the Concours d'Elegance in May of 1991.

Once the production is completed, the tape will be available for resale. Partial proceeds will go to benefit the Burn Prevention Foundation.

### PENNSYLVANIA CRIME STOPPERS

(Produced by WTVE-TV 51)

TV 51 continued working for PENNSYLVANIA CRIME STOPPERS, producing, scripting, editing, and airing 30's that alert the viewership to be on the lookout for criminals whose whereabouts are potentially in the area.

READING EXHIBIT 39  
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ISSUES AND PROGRAMS REPORT

FIRST QUARTER

1992

WIVE-TV 51

1729 NORTH ELEVENTH STREET

READING, PENNSYLVANIA 19604

COMPILED BY:

KIMBERLEY G. BRADLEY

APRIL 1992

## WIVE-TV ISSUES AND PROGRAM REPORT--FIRST QUARTER, 1992

This Issues and Program Report for the First Quarter of 1992 was compiled in accordance with the FCC regulations as documentation of WIVE-TV 51's effort to fulfill it's commitment to Broadcast in the public interest.

Contained in this report are the various agencies and organizations that TV-51 was involved with, along with a synopsis of what was accomplished in the way of public service announcements and production services supplied by the station as a way to promote the goals and objectives of these non-profit parties.

Below are listed the public service activities in which TV-51 has participated for the first quarter of 1992.

### BURN PREVENTION FOUNDATION

(Produced by WIVE-TV 51)

WIVE continues it's work with the Burn Prevention Foundation by running a two minute promotional tape (which was completed at the beginning of this quarter) promoting the Concours d'elegance video tape which donates a partial amount to the Burn Prevention Foundation.

### PENNSYLVANIA CRIME STOPPERS

(Produced by WIVE TV-51 Weekly)

TV51 continues working for the Pennsylvania Crime Stoppers, producing, scripting, editing and airing a thirty second PSA which alerts the viewership to be on the look-out for criminals whose whereabouts are unknown but potentially thought to be in our viewing area.

### WEATHER

(Produced by WIVE TV-51 Nightly)

This station spends roughly 1-2 hours each night researching and editing the weather which airs at various intervals during the morning hours.

### COMMUNITY CALENDAR

(Produced by WIVE TV-51 Weekly)

These 90 second PSA's are produced and edited weekly by TV-51. The production included is PSA gathering, writing the script, typing in the chyron, reading a voice over and editing it all together. They air at local intervals and promote local events such as the following examples:

\* Reading Symphony Orchestra's annual fund raiser dinner/dance which benefited the Kinderkonzert family program.

ISSUES AND PROGRAMS REPORT  
SECOND QUARTER  
1992

WTVE-TV51  
1729 NORTH ELEVENTH STREET  
READING, PENNSYLVANIA 19604

COMPILED BY:

KIMBERLEY G. BRADLEY

JULY 1992

Quarter of 1992 was con-  
sidered as documentation of WTVE-TV 51  
it's commitment to Broadcast in the public interest

Contained in this report are the various agencies and organizations that TV-51 were involved with, along with a synopsis of what was accomplished in the way of public service announcements and production services supplied by the station as a way to promote the goals of these non-profit parties.

Below are listed the public service activities in which TV-51 has participated in for the Second Quarter of 1992.

#### BURN PREVENTION FOUNDATION

(Produced by WTVE)

WTVE continues it's work with the Burn Prevention Foundation by running a two minute promotional tape promoting the Concours d' Elegance video tape which donates a partial amount to the Burn Prevention Foundation.

#### PENNSYLVANIA CRIME STOPPERS

(Produced by WTVE TV-51 Weekly)

WTVE continues working for the Pennsylvania Crime Stoppers, Producing, scripting, editing and airing a thirty second PSA which alerts the viewer to be on the lookout for criminals whose whereabouts are unknown but potentially thought to be in our viewing area.

READING EXHIBIT 39  
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#### WEATHER

(Produced by WTVE Nightly)

This station spends roughly 1-2 hours each night researching and editing the weather which airs at various intervals during the morning hours.

#### COMMUNITY CALENDAR

(Produced weekly by WTVE)

These 90 second PSA's are produced and edited weekly by WTVE. The production includes PSA gathering, writing the script, typing chyron, reading a voiceover and editing to the final stage. They air about four times a night and promote local events such as the following examples:

\*The Human Society Easter Open House which benefits homeless animals in the Reading Area

\*The American Cancer Society Amish Country Marathon. This is a community event which helps the Pa. Chapter of American Cancer Society.

**WTVE-TV 51**  
**Reading, Pennsylvania**

**FIRST QUARTER 1993**

**(January 1-March 18, 1993)**

- \*The need for role models
- \*Comparing the Book of Judges to modern-day society
- \*The Great Tribulation
- \*The Rapture
- \*The Thousand-Year Millenium
- \*The importance of child-raising and morality

## 20). ISSUE: SAFETY

"Keystone Safety Belt Network" (I).....AFFIDAVIT "98"

This award-winning P.S.A., produced by WTVE, promotes the benefit of wearing seatbelts to save lives. In the first installment, a State Trooper approaches the site of an overturned car and talks about the accidents he's responded to, and how seatbelts have helped to save lives. If they had been worn. The P.S.A. says wear seatbelts, it's the law.

"Keystone Safety Belt Network" (II).....AFFIDAVIT "98"

This award-winning P.S.A., produced by WTVE, promotes the benefits of wearing seatbelts to save lives. In the second installment, a coroner talks about the accidents he's responded to. He states that if motorists had been wearing seatbelts, his services may not be needed. The P.S.A. states wear seatbelts, it's the law.

"Smoke Detectors".....AFFIDAVIT "99"

Underwriters Laboratories, Inc., a nonprofit organization dedicated to public safety, sponsors this 30-second P.S.A. to urge people to check their smoke detectors yearly and change the batteries, whether they need it or not.

"Drink to Your Children's Health".....AFFIDAVIT "100"

This 6 1/2-minute segment, presented as a public service by the Hurly Company of Chicago, Inc., focuses on how lead poisoning contributes to chronic illness and disabilities in children. The feature explores what steps the government is taking in the way of promoting awareness and prevention. The piece also focuses on what can be done by parents in the home. Co-sponsored by the Environmental Protection Agency.

"Radon Gas Mask".....AFFIDAVIT "101"

The Environmental Protection Agency sponsors this 30-second P.S.A. which urges people to have their homes tested for Radon. It shows a young boy and a dog wearing gas masks to point out the dangers of not testing for Radon in one's home.

"Dummy Cam".....AFFIDAVIT "102"

The Department of Transportation sponsors this 30-second P.S.A. in conjunction with the National Highway Traffic Safety Administration. This shows the effects of not wearing seatbelts from the dummy's perspective.



WTVE • Reading Broadcasting, Inc.

This is to certify that WTVE-TV51 aired the following Public Service Announcement at the below dates and times:

Title: SMOKE DETECTORS Length: :30

1/18/93

12:24:29P

1/22/93

08:21:12A

01:26:06P

1/25/93

08:25:11A

01:24:00P

1/26/93

08:25:20A

01:25:07P

1/27/93

08:25:30A

01:22:00P

1/28/93

00:55:27A

07:22:51P

11:25:22P

1/30/93

01:24:00A

1/31/93

01:24:00A

AFFIDAVIT "99"

READING EXHIBIT 39  
PAGE 30



WTVE • Reading Broadcasting, Inc.

This is to certify that WTVE-TV51 aired the following Public Service Announcement at the below dates and times:

Title: SMOKE DETECTORS Length: :30

2/1/93

00:51:01A

01:21:04A

2/2/93

00:53:34A

11:27:27P

2/3/93

05:25:13A

2/5/93

04:22:41A

2/6/93

00:20:40A

2/7/93

00:19:26A

2/8/93

04:22:45A

2/9/93

04:26:29A

2/10/93

04:24:34A

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PAGE 31



ISSUES AND PROGRAMS REPORT  
SECOND QUARTER  
1993

WTVE-TV51  
1729 NORTH ELEVENTH STREET  
READING, PENNSYLVANIA 19604

COMPILED BY:  
GEORGE MATTMILLER